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WASHINGTON MUTUAL BANK, FA, and
WASHINGTON MUTUAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM BARNETT, et al.,

Plaintiffs,

vs.

WASHINGTON MUTUAL BANK, FA, DIME
BANCORP, INC. and DOES 1- 10, inclusive,

Defendants.

CASE NO. C 03-0753 CRB
[AND RELATED CASES]

**STIPULATION AND ORDER RE:
DISMISSAL**

The parties hereby stipulate that the following matters are hereby dismissed with prejudice by all of the plaintiffs, except as set forth below:

1. *Barnett, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-0753 CRB
2. *Nguyen v. Washington Mutual Bank, FA et al*, Case No. C-03-0943
3. *Bednarz, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-1446
4. *Breisacher, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-2007

5. *Duffield, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-2853
6. *Delfino, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-3239
7. *Rivera v. Washington Mutual Bank, FA et al*, Case No. C-03-3317
8. *Ryseff, et al v. Washington Mutual Bank, FA et al*, Case No. C-03-3533
9. *Young, et al. v. Washington Mutual Bank, FA, et al.*, Case No. C-03-4278 (dismissed as to Roger Laforge only); and
10. *Souza v. Washington Mutual Bank, FA, et al.*, Case No. C-03-4351

Pursuant to a settlement, all parties are bearing their own costs and fees.

Case No. C-03-4278, *Young, et al. v. Washington Mutual Bank, FA, et al.*, to the extent it relates to Kristen Young (a loan processor), is not dismissed and should be joined with *Smith, et al. v. Washington Mutual Bank, FA, et al.*, Case No. C-03-5050 for all purposes, including trial.

Respectfully submitted,

Dated: April 22, 2005

BEYERS | COSTIN

/s/ Peter L. Simon

By: _____
PETER L. SIMON
Attorneys for Plaintiffs
WILLIAM BARNETT, et al.
(except Sannar and Huisking)

Dated: April 22, 2005

HELLER EHRMAN WHITE & MCAULIFFE LLP

/s/ Thomas S. Kimbrell

By: _____
THOMAS S. KIMBRELL
Attorneys for Defendants
WASHINGTON MUTUAL BANK, FA, et al.

[PROPOSED] ORDER

This Court having considered the above stipulation hereby orders as follows:

1. The following matters are dismissed with prejudice:

Barnett, et al v. Washington Mutual Bank, FA et al, Case No. C-03-0753 CRB

Nguyen v. Washington Mutual Bank, FA et al, Case No. C-03-0943

Bednarz, et al v. Washington Mutual Bank, FA et al, Case No. C-03-1446

Breisacher, et al v. Washington Mutual Bank, FA et al, Case No. C-03-2007

Duffield, et al v. Washington Mutual Bank, FA et al, Case No. C-03-2853

Delfino, et al v. Washington Mutual Bank, FA et al, Case No. C-03-3239

Rivera v. Washington Mutual Bank, FA et al, Case No. C-03-3317

Ryseff, et al v. Washington Mutual Bank, FA et al, Case No. C-03-3533

Young, et al. v. Washington Mutual Bank, FA, et al., Case No. C-03-4278 (dismissed as to Roger Laforge only); and

Souza v. Washington Mutual Bank, FA, et al., Case No. C-03-4351

2. All parties to bear their own costs and fees.

3. Case No. C-03-4278, *Young, et al. v. Washington Mutual Bank, FA, et al.*, to the extent it relates to Kristen Young (a loan processor), is hereby joined with *Smith, et al. v. Washington Mutual Bank, FA, et al.*, Case No. C-03-5050 for all purposes, including trial.

IT IS SO ORDERED.

Dated: April 25, 2005



Honorable Charles R. Breyer